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| EXAMINER |
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LIN, KENNY S

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2152

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/067,875
Filing Date: February 05, 2002
Appellant(s): KANE ET AL.

Hunter E. Webb
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 5/19/2008 appealing from the Office action mailed 9/1/2006.

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(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

| | | |
|--------------|-----------------|---------|
| 2004/0212841 | Endo, Tomoaki | 10-2004 |
| 2003/0037100 | Olejar et al. | 2-2003 |
| 6,243,394 | Deng, Shuang | 6-2001 |
| 6,078,564 | Lakshman et al. | 6-2000 |

6,144,975

Harris, Jr. et al

11-2000

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

1. Claims 1, 3, 10, 12, 16 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Endo, US 2004/0212841, filed on April 30, 2004 with a priority date to a divisional application filed on October 26, 1998.
2. As per claim 1, Endo taught the claimed invention including a method for routing data by a server, comprising the step of:
 - a. Providing an application on the server (pp. 0048-0049, system or program is loaded from the HD drive, OS program, document-transmission control program);
 - b. Providing a table of formats and protocols on the server, wherein the table is accessible by the application, wherein the table contains a plurality of formats and protocols (pp. 0049, 0052-0053, 0055-0056, 100-105, default data-transmission-format information base and various transmission protocols, destination list);
 - c. Receiving, on the server, data to be routed from a source to a destination (pp. 0048-0049; server HD reading, loading and storing document read from a scanner for transmission), the data having the destination (e.g. receiver email address, ftp address; figs.4-8) and a transaction type (e.g. transmission methods such as email, ftp, fax; figs. 4-8) that defines a character of the data included therein (pp. 0055-0056, 0060-0065, figs.3-4, 8-9; document input unit; data are collected in

accordance with data transmission format based classification and communication-method based classification);

- d. Retrieving, from the table, a format for transforming the data and a protocol of the plurality of protocols for communicating the data based on the destination, the transaction type and the source (pp. 0055-0056, 0058-0059, 0061, 100-105); and
 - e. The application transforming the data into the retrieved format, and routing the transformed data to the destination using the retrieved communication protocol (pp. 0055-0056, 0065-0066, 0068-0069, 0096-0097), wherein the application is adapted to transform the data which is received in one of a plurality of formats into the transformed data which is in one of a plurality of formats (pp. 0065-0066).
3. As per claims 10 and 16, Endo taught the claimed invention including a system and its program product for routing data by a server, comprising:
- a. A table system for providing a table having a plurality of formats and protocols (pp. 0048-0049, 0052-0053, 0055-0056, default data-transmission-format information base and various transmission protocols, destination list);
 - b. A data reception system for receiving data from a source to be routed to a destination (pp. 0048-0049), the data having a destination and a transaction type that defines a character of the data included therein (pp. 0055-0056, 0060-0065, figs.3-4, 8-9; document input unit; data are collected in accordance with data

transmission format based classification and communication-method based classification);

- c. A retrieval system for retrieving a format of the plurality of formats for transforming the data and a protocol of the plurality of protocols for communicating the protocol from the table based upon the source, the destination and the transaction type (pp. 0055-0056, 0058-0059, 0061, 100-105);
 - d. A transformation system for transforming the data into the retrieved format (pp. 0055-0056, 0065-0066); and
 - e. A routing system for routing the transformed data to the destination using the retrieved protocol (pp. 0055-0056, 0068-0069, 0096-0097), wherein the application is adapted to transform the data which is received in one of a plurality of formats into the transformed data which is in one of a plurality of formats (pp. 0065-0066).
4. As per claims 3, 12 and 18, Endo taught the invention as claimed in claims 1, 10 and 16. Endo further taught to comprise the step of identifying the source, prior to the retrieving step (pp. 0065; designate the document input source).
5. Claim 4, 7, 13 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo, US 2004/0212841, in view of Olejar et al (Olejar), US 2003/0037100.

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6. As per claim 7, Endo taught the invention substantially as claimed including a method for routing data by a server, comprising the steps of:

- a. Providing a communication application on the server (pp. 0048-0049, system or program is loaded from the HD drive, document-transmission control program);
- b. Entering a table of formats, protocols, sources, destinations and transaction types on the server, wherein the table is accessible by the application, wherein the table contains a plurality of formats and protocols (pp. 0049, 0052-0053, 0055-0056, default data-transmission-format information base and various transmission protocols, destination list);
- c. Receiving, on the server, data to be routed from an identified source to a destination (pp. 0048-0049), the data having the destination and a transaction type that defines a character of the data included therein (pp. 0055-0056, 0060-0065, figs.3-4, 8-9; document input unit; data are collected in accordance with data transmission format based classification and communication-method based classification);
- d. Retrieving from the table a format of the plurality of formats for transforming the data and a protocol of the plurality of protocols for communicating the data, based on the destination, the transaction type and the source (pp. 0055-0056, 0058-0059, 0061, 100-105); and
- e. The application transforming the data into the retrieved format, and routing the transformed data from the server to the destination using the retrieved communication protocol (pp. 0055-0056, 0065-0066, 0068-0069, 0096-0097),

wherein the application is adapted to transform the data which is received in one of a plurality of formats into the transformed data which is in one of a plurality of formats (pp. 0065-0066).

7. Endo did not specifically teach to detect errors in the data based upon omissions in the data. Olejar taught to detect errors in retrieved data based upon omissions in the data (claim 4; intelligent detection means). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Endo and Olejar because Olejar's teaching of detecting errors enable Endo's method to detect incomplete or inaccurate data received and automatically retrieve data to correct the problem (see Olejar, claim 4).

8. As per claims 4, 13 and 19, Endo taught the invention substantially as claimed in claims 1, 10 and 16. Endo did not specifically teach the step of the application detecting errors in the retrieved data based upon omissions in the data. Olejar taught an application to detect errors in retrieved data based upon omissions in the data (claim 4; intelligent detection means). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Endo and Olejar because Olejar's teaching of detecting errors enable Endo's method to detect incomplete or inaccurate data received and automatically retrieve data to correct the problem (see Olejar, claim 4).

9. Claim 2, 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo, US 2004/0212841, in view of Deng, US 6,243,394.

10. As per claims 2, 11 and 17, Endo taught the invention substantially as claimed in claims 1, 10 and 16. Endo further taught that the provided table further includes sources, destinations and transaction type (figs.5-7; pp. 0055). Endo further taught to designate a document input source (pp. 0065). Endo did not specifically teach to include sources in the table. Deng taught to include sources in the table (col.5, lines 34-38, col.8, lines 44-46). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Endo and Deng and include sources to the table to inform the data receiver where the data is from.

11. Claim 5, 14 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo, US 2004/0212841, in view of Lakshman et al (Lakshman), US 6,078,564.

12. As per claims 5, 14 and 20, Endo taught the invention substantially as claimed in claims 1, 10 and 16. Endo did not specifically teach the step of tracking data communication between the source and the destination. Lakshman taught to track data communication between the source and the destination (col.4, lines 64-67, col.5, lines 1-2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Endo and Lakshman because Lakshman's teaching of tracking communication enables Endo's method to monitor the transmission of the data transmitted in the communication path.

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13. Claim 6, 15 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo, US 2004/0212841, in view of Harris, Jr. et al (Harris), US 6,144,975.

14. As per claims 6, 15 and 21, Endo taught the invention substantially as claimed in claims 1, 10 and 16. Endo did not specifically teach further the step of generating a report based upon data communications and detected errors. Harris taught to generate a report based upon data communication and detected errors destination (col.1, lines 35-36, col.8, lines 54-67, col.9, lines 1-11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Endo and Harris because Harris' teaching of reporting enable Endo's method to present the users or the administer a documentary of the errors.

15. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Endo and Olejar as applied to claim 7 above, and further in view of Lakshman et al (Lakshman), US 6,078,564.

16. As per claim 8, Endo and Olejar taught the invention substantially as claimed in claim 7. Endo and Olejar did not specifically teach the step of tracking data communication between the source and the destination. Lakshman taught to track data communication between the source and the destination (col.4, lines 64-67, col.5, lines 1-2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Endo, Olejar and Lakshman because Lakshman's teaching of tracking communication enables Endo and Olejar's method to monitor the transmission of the data transmitted in the communication path.

17. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Endo, Olejar and Lakshman as applied to claim 8 above, and further in view of Harris, Jr. et al (Harris), US 6,144,975.

18. As per claim 9, Endo, Olejar and Lakshman taught the invention substantially as claimed in claim 8. Endo, Olejar and Lakshman did not specifically teach further the step of generating a report based upon data communications and detected errors. Harris taught to generate a report based upon data communication and detected errors destination (col.1, lines 35-36, col.8, lines 54-67, col.9, lines 1-11). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Endo, Olejar, Lakshman and Harris because Harris, Olejar and Lakshman's teaching of reporting enable Endo's method to present the users or the administer a documentary of the errors.

(10) Response to Argument

The examiner summarizes the various points raised by the appellant and addresses replies individually.

(1) Appellant's argue that the transmission method of Endo indicates the manner in which the document data is to be transmitted and does not define the character of the data itself. The transaction type is distinct from the format of the transaction. The transaction type is not taught by the transmission methods of Endo, which are merely formats.

In reply to (1): Endo specifically teaches a data reception system for receiving data from a source to be routed to a destination (pp. 0048-0049), the data having a destination and a transaction type that defines a character of the data included therein (pp. 0055-0056, 0060-0065, figs.3-4, 8-9; transmission method such as e-mail, facsimile, Ipr) and formats (pp. 0053: data transmission formats). The transaction type taught by Endo is also distinct from the format of the data since Endo taught that the data transmission formats are, for example, JPEG, TIFF, BMP...etc, while the transaction type are, for example, e-mail, ftp, fox Ipr...etc. Assigning a transaction type such as e-mail, facsimile, Ipr essentially applies various encoding to the data such that the data being routed is encoded with the header and tailor that defines the data to be e-mail content data, facsimile content data or Ipr content data when transmitting the data. For example, transmitting a JPEG format data using email transmission method defines the JPEG format data to be an email content data used for email transmission (character of the JPEG data defined as an email content). The transmission method of Endo clearly defines the characters of the data to be what type of transmission content. Therefore, Endo disclose that the destination and transaction types of the data defines a character of the data. Since the claims fail to define how the transaction type defines the character of the data, Endo's teaching clearly read on the current claim language.

(2) Appellant further argues that Endo fails to teach "the application is adapted to transform the data in one of a plurality of formats into the transformed data in one of a plurality of formats." Since Endo does not teach "that document data may be in different formats, depending on the source". Endo does not explicitly teach that it may be used to convert input

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having various input formats or that it contains any mechanism for dealing with a plurality of input formats.

In reply to (2): Endo specifically teach that the application is adapted to transform the data in **ONE** of a plurality of received formats into the transformed data in one of a plurality of retrieved formats (pp. 0065-0066: format conversion program for converting data format). Examiner explicitly points out that claim languages recite, “the application is adapted to transform the data which is received in **ONE** of a plurality of formats into the transformed data which is in one of a plurality of formats”. Since the claim languages express to receive one format of a plurality of formats, the reference(s) need to show only one format to meet the limitations according to the broadest interpretation of the claim language. Endo specifically teach converting from a single format to a number of formats (This is admitted by the appellant in pages 8-9 of the appeal brief). Endo taught converting input document data in a format to a designated data transmission format, this clearly reads on the limitation of “to transform the data which is received in **ONE** of a plurality of formats into the transformed data which is in one of a plurality of formats”.

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(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/K.L./

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